

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claims 1, 17 and 22 have been amended to recite that reproducing of the picked up image data is controlled so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced, as supported by the disclosure in Figs. 9-10 and in the disclosure in the specification at, for example, page 24, line 1, to page 25, line 3.

In addition, claims 2-4, 10-11, 13-14, and 16 have been amended to better accord with the amended independent claim 1, and to recite additional features of the present invention disclosed in the specification at page 25, line 15, to page 27, line 23, as well as to make some minor grammatical improvements and/or to correct some minor antecedent basis problems so as to put the claims in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-8, 10-13 and 15-22 were rejected under 35 USC 103 as being obvious in view of the combination of USP 6,229,953 ("Ejima et al") and USP 6,052,510 ("Sakaegi et al"); claim 9 was rejected under 35 USC 103 as being obvious in view of the combination of Ejima et al, Sakaegi et al and USP 5,379,084 ("Yamazaki"); and claim 14 was rejected under 35 USC 103 as being obvious in view of the combination of Ejima et al, Sakaegi et al and USP 4,965,675 ("Hori et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 1, 17 and 22, an image and audio reproducing apparatus, a computer program, and an image and audio reproducing method are provided in which image data is reproduced to display an image on a display device in a manner such that reproducing of the image data is controlled so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced. That is, according to the present invention as recited in amended independent claims 1, 17 and 22, picked-up image data, audio data generated before and at a pick-up timing of the image data, and time data indicating the pick-up timing are read from a storage device. Then, the audio data and the image data are reproduced to display an image on a display device

in a manner such that the reproducing of the image data is controlled so that a display size of the image gradually changes until the audio data generated at the pick-up timing is reproduced.

Significantly, with the structure of the present invention as recited in amended independent claims 1, 17 and 22, when the photographed image and the audio data recorded up to the time of photographing are reproduced, a user can confirm the relationship between the reproduced image and the reproduced audio signal based on occurrence of the reproduced image during playback of the audio data.

With respect to the cited prior art references, Ejima et al discloses an information processing apparatus capable of receiving and processing a variety of types of input in a manner so that it is made easy to add properly synchronized information as desired (see, for example, the abstract of Ejima et al). More specifically, according to Ejima et al, in the case of recording sound when photographing objects, the date and time of the photography is annexed as header information to the sound data recorded in the sound information recording area of the memory card 24 (see column 14, lines 49-51, of Ejima et al).

However, it is respectfully submitted that Ejima et al does not at all disclose, teach or suggest reproducing image data to display an image in a manner so that a display size of the image

gradually changes until audio data generated at the pick-up timing is reproduced, as according to the present invention as recited in amended independent claims 1, 17 and 22.

Sakaegi et al discloses an electronic camera in which the recording mode has a continuous recording mode in which a plurality of images are recorded, a single recording mode in which a single image is recorded, and a self-timer recording mode in which a single image is recorded when a time set in advance has passed. The electronic camera of Sakaegi et al changes between the continuous recording mode, the single recording mode, and the self-timer recording mode each time an operation mode setting member is operated in the recording mode (see, for example, claim 2 of Sakaegi et al).

However, it is respectfully submitted that Sakaegi et al also does not at all disclose, teach or suggest reproducing image data to display an image in a manner so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced, as according to the present invention as recited in amended independent claims 1, 17 and 22.

Still further, Yamazaki discloses a camera having a zoom optical system. According to the camera of Yamazaki, when a picture size selecting means detects selection of a picture, zooming is performed using a driving source so that a ratio of a subject size to the picture size will not change (see, for

example, the abstract of Yamazaki). On page 7 of the Office Action, the Examiner asserts that since in Yamazaki, a user is able to zoom into images as reproduction of audio data progresses, Yamazaki teaches controlling the image reproducing device to reduce a size of the image displayed on the display device at a start of reproduction of the audio data, and gradually increasing the size of the image displayed on the display device until a time when audio data which is generated at the pick-up timing is reproduced, in the manner of the claimed present invention.

However, it is respectfully submitted that Yamazaki does not even disclose reproducing audio data. Accordingly, it is respectfully submitted that this reference also does not at all disclose, teach or suggest reproducing image data to display an image in a manner so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced, as according to the present invention as recited in amended independent claims 1, 17 and 22

Finally, it is noted that Hori et al discloses a recording apparatus for recording audio signals and video signals on a recording medium in a mixed from. In Hori et al, the recording apparatus has a device for reproducing video signals which correspond to audio signals to be recorded prior to the execution

of recording of the audio signals (see, for example, the abstract of Hori et al).

However, it is respectfully submitted that Hori et al also does not disclose, teach or suggest reproducing image data to display an image in a manner so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced, as according to the present invention as recited in amended independent claims 1, 17 and 22.

Accordingly, it is respectfully submitted that even if Ejima et al, Sakaegi et al, Yamazaki and/or Hori et al were combinable in the manner suggested by the Examiner, such combination would still not achieve or render obvious the feature of the present invention as recited in amended independent claims 1, 17 and 22 of the present application whereby image data is reproduced to display an image in a manner so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced.

In view of the foregoing, it is respectfully submitted, that the present invention as recited in each of amended independent claims 1, 17 and 22, as well as claims 2-4, 10-11, 13-14 and 16 depending from amended independent claim 1, clearly patentably distinguishes over Ejima et al, Sakaegi et al, Yamazaki and Hori et al, taken singly or in any combination, under 35 USC 103.

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:jd
encs.